

# असाधारण EXTRAORDINARY

भाग II—खंड 2 PART II—Section 2

PUBLISHED BY AUTHORITY



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नई दिल्ली, शुक्रवार, मई 5, 1995/ज्येष्ठ ,15 1917

No. 15]

NEW DELHI, FRIDAY, MAY 5, 1995/JYAISTHA 15, 1917

इस भाग में भिन्न पृष्ठ संस्था दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

# LOK SABHA

The following Bills were introduced in Lok Sabha on 5th May, 1995:—

# BILL No. 114 of 1994

A Bill to provide for the recognition of electropathy system of medicine and for matters connected therewish or incidental thereto.

Be it enacted by Parliament in the Forty-fifth Year of the Republic of India as follows:

1. (1) This Act may be called the Electropathy System of Medicine (Recognition) Act, 1994.

Short title and extent

- (2) It extends to the whole of India.
- 2. In this Act, unless the context otherwise requires,—

Definition

- (a) "Authority" means the Naturo Electro Homoeo Medicos' Authority of India established under section 3;
- (b) "degree" means the Degree of Bachelor of Electropathy, Medicines and Surgery (B.E.M.S.) awarded by an Institution established by the Authority?
- (c) "diploma" means the Diploma in Electro Homoeo Medicines (D.E.H.M.) awarded by an Institution established by the Authority;
- (d) "electropathy" means the electropathy/electro-homoeopathy system of medicines;

- (e) "Fund" means the Naturo Electro Homoeo Medicos' Authority of India Fund constituted under section 4;
- (f) "institution" means an Institution, established by the Authomy by which a person is awarded a degree or diploma after successful completion of prescribed course of study/training in electropathy.

hatablishment of Naturo Electro Homoeo Medicos' Authority of India.

- 3. (1) The Central Government shall establish an Authority, consisting of a Chairman and such number of members as may be prescribed, to be known as the Naturo Electro Homoeo Medicos' Authority of India.
  - (2) The registered office of the Authority shall be at New Delhi.

Constitution of Naturo Electro Homoeo Medicos' Authoritq of Fund, 4. The Central Government shall constitute a fund to be called the Naturo Electro Homoeo Medicos' Authority of India Fund for the development of Electropathy System of medical science.

Functions of the Authority

- 5. The Authority shall, out of the Fund constituted under section 4.
  - (a) establish institutions;
- (b) establish, organise, finance and maintain hospitals of electropathy system of medicine throughout the country;
- (c) work for the promotion and development of Electropathy System Medical Science;
  - (d) conduct research in electropathy system of medicines;
  - (e) assist the medical practitioners practising in electropathy; and
- (f) assist the persons holding B.E.M.S. degree or D.E.H.M. diploma in getting suitable employment.
- 6. The degrees/diplomas awarded by an institution established under section 5 shall be recognised.

nition of degrees/ diplomas. Registration with

the Au-

thority.

Recog

7. All persons who have been awarded degrees or diplomas by an institution shall register themselves with the Authority, which shall maintain a Register for the purpose.

Right to practise Electropathy system of Medi-

cine.

8. All those who have registered themselves with the Authority under section 7, shall have the right to practise in the Electropathy system of Medicine throughout the country.

9. The Central Government shall set up an Advisory Council consisting of such number of members as may be prescribed; to advise the Authority.

Setting up of an Advisory Council

10. The Authority shall submit to the Central Government a periodical return containing a list of doctors registered with them, hospitals and institutions established by them, the particulars of expenditure incurred from the fund and such other particulars as may be prescribed by the Central Government.

Periodical return to be submitted by the Authority.

11. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this act.

Power to make rules.

# STATEMENT OF OBJECTS AND REASONS

The Electropathy or Electro Homoeopathy Medical Science is harmless, natural and is a new system of medicine. This system is quite different from Allopathy, Ayurveda, Unani and Homoeopathic systems. This new system was discovered in 1865 by Dr. Count Ceaser Mattie of Italy on the basic principles of 'COMPLEXA-COMPLEXIS-CURANTUR'. The remedies of Electropathy are prepared by a scientific process called the 'Spageric Way' commonly known as 'COHOBATION' method in which the living energies of the plant remain in the essences obtained from the plants. These remedies have curative capacity to regulate the lymph and blood and also to keep them purified. Only non-poisonous medicinal plants are used for preparing medicines under this system. Alcohol or spirit or other poisonous matter is not used in the preparation of these medicines. Hence there are no side effects on the human body. Any discomfort can be easily and quickly controlled. These medicines are cheap and harmless.

The revolution brought about by Dr. Count Ceaser Mattie in the field of Medical Science is of special significance particularly when the world has abruptly sprung alive to the growing environmental pollution due to indiscriminate destruction of the forests. The efforts of the Government towards planting a hundred thousands saplings is a proof of the alarming situation. Electro-Homoeopathy is a plant oriented system of Medical Science and has great potential to salvage life from the ominous manoeuvres of the artificial drug therapy. The Electropathy system of medicine is based on principle of Complexa-Complexis-Curantur, which can be translated as our complex body requires complex medicines to cure the diseases. In this system of medicine complex remedics are related on the basis of the Law of Similarity and application of these remedies are according to the Law of Polarity.

An Electro Homosopathy takes into consideration the full details of all the local, particular and general complaints including both the subjective and the objective symptoms of the patient and prescribes a "Compound Drug" covering all the divergent complaints related through unity of purpose, function, design and tissue structure in view of the individual organs as well, as the general disturbance of the whole organism.

In India there are four recognised systems of medical sciences viz. Western Medical Science Allopathy, Ayurveda Unani and Homoeopathy. The Allopathy system of medicine was recognised in India under the Indian Medical Degree Act, 1916. Prior to that, even the Allopathy system was not officially recognised in India but the doctors of this system were practising without restriction. In the Indian Medical Degrees Act the present three systems of medicines viz. Ayurveda, Unani and Homoeopathy were not included. The Ayurveda and Unani were recognised in India under Indian Medical Council Act. 1956. The fourth medical science, i.e. Homoeopathy was introduced in India in the year 1839. In the year 1937 a Private Members' Bill was brought forward in the Central Assembly for the recognition of Homoeopathy. An Inquiry Committee on Homoeopathy was set up in the year 1949 on the basis of the above Bill and Homoeopathy as a Medical Science was subsequently recognised in India. Thus at present, there are four systems of Medical Sciences recognised in India. It

may also be mentioned that before the recognition of these four medical sciences in India, the doctors of these systems were practising in their respective medical fields and there was no bar on their practice.

For the promotion, development and research of the Electropathy/Electro-homocopathy Medical Science in India, the organisation of Naturo Electro Homocopathy Medicos of India may also be taken over by the Government. Considering the large number of Electropathy doctors, institutions and their contribution towards the promotion and development of Electropathy/Electro-Homoecpathy Medical Science, it is high time that this medical science is recognised in India and is given legal protection.

Hence this Bill.

NEW DELHI:

SAROJ DUBEY.

November 10, 1994.

### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Central Government shall establis' a Naturo Electro Homoeo Medicos' Authority of India. Clause 4 provides that the Central Government shall constitute Naturo Electro Homoeo Medicos' Authority of India Fund. Clause 9 provides that the Central Government shall set up an Advisory Council to advise the Authority. The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees tewnty lakh per annum.

Non-recurring expenditure of about rupees seven lakh is also likely to be involved from the Consolidated Fund of India.

# MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Since the rules will relate to matters of detail only, the delegation of the legislative power is of a normal character.

# Bill No. 4 of 1995

A Bill further to amend the Constitution (Scheduled Tribes) Order, 1950

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 1995.

Short title,

2. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950. in the Part IX.—Maharashtra,—

Amendment of the

Schedule.

- (a) in item 18, the words "Gond Gowari" and "Mana" shall be omitted; and
  - (b) after item 18, the following items shall be inserted, namely:--"18A. Gowari, Gawari, Injwar 18B. Mana".

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# STATEMENT OF OBJECTS AND REASONS

Several entries in the list of Scheduled Tribes notified in the Constitution (Scheduled Tribes) Order, 1950, issued by the President have been criticised on the ground that the names of certain tribes have appeared wrongly in the Schedule. One of such examples is the clubbing together of the Gond and the Gowari Tribes into one tribe in the list of tribes for the State of Maherashtra whereas the fact is that the Gond and the Gowari tribes are two distinct tribes. This has recently led to mass agitation on the part of Gowari tribals for showing them as a separate tribe from Gonds in the Schedule. This has even resulted in a grave tragedy at Nagpur.

Mana tribals are different from Gond tribals but have also been shown as a sub-caste of the Gond tribals in the Schedule.

Therefore, the names of Gowari and Mana tribes should be shown correctly and distinctly in the list of Scheduled Tribes in relation to the State of Maharashtra in order to remove the confusion and to give social justice to these tribes.

Hence this Bill.

New Delhi; December 1, 1994. VILAS MUTTEMWAR.

# BILL No. 29 or 1995

A Bill to establish and incorporate a Safai Karamcharis Small Scale Industries Development Corporation for the promotion of economic development of Safai Karamcharis and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

1. This Act may be called the Safai Karamcharis Small Scale Industries Development Corporation Act, 1995.

Short title.

2. In this Act, unless the context otherwise requires,-

Definitions.

- (a) "corporation" means the Safai Karamcharis Small Scale Industries Development Corporation set up under section 3:
- (b) "family" means and includes the safai karamchari, the spouse of the Safai Karamchari and their minor children;

- (c) "prescribed" means prescribed by rules made under this Act;
- (d) "Safai Karamchari" means a person engaged in, or employed for, manually carrying human excreta or any samuation work.
- 3. (1) The Central Government shall establish a Corporation to be known as Safai Karanicharis Small Scale Industries Development Corporation with its Headquarters at New Delhi and a complex in each district of the country.
- (2) The Central Government may constitute such other bodies, as it may deem fit, for the efficient functioning of the Corporation.
  - 4. The objects of the Corporation shall be-
    - (a) to strengthen the economic conditions of Safai Karamcharis;
  - (b) to provide for schemes for rehabilitation of the displaced Safai Karamcharis;
  - (c) to provide for infrastructural facilities for setting up of small scale industries by Safai Karamcharis;
  - (d) to ensure better coordination amongst the different units of the Corporation.

# 5. (1) The Central Government shall appoint a Chief Comptroller to head the Corporation.

- (2) The salary and allowances, terms and conditions of services of the hief Comptroller shall be such as may be prescribed.
- 6. (1) The Chief Comptroller may appoint such officers and employees necessary for the efficient functioning of the Corporation:

Provided that Safai Karamcharis and their dependents shall be given preference in services under the Corporation.

- (2) The Chief Comptroller may perform such functions and shall have such powers as may be prescribed.
- (3) The Chief Comptroller may delegate his powers and functions to such officers as may be authorised by him in this behalf.
- 7. (1) There shall be a Finance Officer for the Corporation who shall be appointed by the Chief Comptroller.
  - (2) The Finance Officer shall ptrform the following functions, namely:
  - (a) exercise general supervision of the funds of the Corporation and advise it as regards its financial policies;
  - (b) perform such other financial functions as may be assigned to him by the Chief Comptroller;

Safai Karamcharis Small Scale Industries-Development Corporation,

Objects of the Corporation.

Chief Comptroller

Powers and functions of the Chief Comptroller

Pinanco Officer.

- (c) hold and manage the properties and investments of the Corporation, including trust and immovable properties;
- (d) ensure that the limits fixed for recurring and non-recurring expenditure for a year are not exceeded and the money is expended or spent for the purposes for which it was granted or allotted;
- (e) be responsible for the preparation of the annual accounts and the budget of the Corporation and for their presentation to the auditors;
- (f) keep a constant watch on the cash and bank balances and investments;
- (g) watch the progress of collection of revenue and advise on the methods of collection employed;
- (h) ensure that the registers of properties and that of raw-materials and equipments of the Corporation are maintained properly in the offices of the Corporation including industrial complexes and other institutions maintained by the Corporation;
- (1) bring to the notice of the Chief Comptroller any unauthorised expenditure or other financial irregularities and suggest appropriate action against persons at fault; and
- (i) call from any office of the Corporation, including industrial complexes and other institutions maintained by the Corporation, any information or reports that he may consider necessary for the performance of his functions.
- (3) Any receipt given by the Finance Officer or by the person duly authorised in this behalf by the Chief Comptroller shall be a sufficient discharge for payment of moneys to the Corporation.
- 8. (1) There shall be a Purchase and Sales Officer for the Corporation who shall be appointed by the Chief Comptroller.

Purchase and Sales Officer.

- (2) The Purchase and Sales Officer shall-
- (a) make raw-materials available to be used in the industrial complexes of the Corporation;
- (b) make arrangements to Purchase and sell the goods produced by the industrial complexes of the Corporation to various agencies of the Central and State Governments and abroad.
- 9. (1) The Central Government shall establish industrial units with necessary infrastructure in each complex.
- (2) One industrial unit shall be allotted to atleast one adult member from every family of a Safai Karamchari in the district with full ownership rights and such allotment shall be notwithstanding that the allottee has already benefited from any other scheme for the welfare of Safai Karamcharis or has defaulted from payment of a loan to a bank or is ineligible for allotment due to any other reason.

Allotment of industrial units to Safai Karamcharis, Credit facilitics to Safai Karamcharis,

- 10. Every person who has been allotted an industrial unit in a complex shall be---
  - (i) given an amount not exceeding rupees fifty thousand as grant by the Central Government and such amount as may be paid shall not be repayable by the persons; and
  - (ii) provide with loan upto rupees fifty thousand at six per cent. Simple interest from any public sector bank which shall be repayable in easy instalments after a period of five years from the date of commencement of work by the person in the industrial unit allotted to him.

Supply of raw-material and purchase of manufactured goods from the allottees.

11. The Central Government and its agencies shall make raw-materials available to the allottees of industrial units at concessional rates and the goods manufactured by them shall be purchased by the Government and its agencies at competitive prices.

Annual Report. 12. The Chief Comptroller shall prepare an annual report on the performance of the Corporation and submit it to the Central Government within one month from the expiry of the relevant financial year.

Annual accounts and audit report.

- 13. (1) The annual accounts and the balance sheet of the Corporation shall be prepared by the Chief Comptroller every year and the same shall be audited by the Comptroller and Auditor-General of India or such person or persons as he may authorise in this behalf.
- (2) A copy of the annual accounts and the audited report shall be submitted to the Central Government within one month from expiry of the relevant financial year.
- (3) The Central Government shall take suitable action with a view to ensuring better performance of the Corporation on the basis of the audited report.

Power to make rules

- 14. (1) The Central Government may make rules for carrying out the provisions of this Act.
- (2) In particular, and without prejudice to the generality of the fore-going power, such regulations may provide for all or any of the following matters, namely:—
  - (a) the manner of appointment of the Chief Comptroller, the salary and allowances and terms and conditions of his service and the powers and functions that may be exercised by him;
  - (b) the manner of appointment, salaries and allowances and terms and conditions of service of officers and other employees;
  - (c) the terms and conditions of supply of raw materials to allottee of industrial units and purchase of manufactured goods from them;

(d) the procedure in relation to any appeal or application for review by any employee against the action of any office, or any authority and the time within which such appeal or application for review shall be preferred or made;

- (e) the procedure for the settlement of disputes between the employees;
- (f) the constitution of a pension and provident fund and establishment of an insurance scheme for the benefit of the employees;
- (g) the conferment of autonomous status on Safai Karamcharts industrial complexes;
- (h) any other matter in respect of which such provision is to be, or may be, made by rule.

# STATEMENT OF OBJECTS AND REASONS

Although, many schemes have been evolved for the promotion and economic development of weaker sections of the society, they do not meet the aspirations of the weaker sections especially the Safai Karamcharis. The Safai Karamcharis are very poor and are engaged in menial jobs and are continuing with the practice of carrying night soil on their heads.

The Safai Karamcharis live in miserable conditions and for want of any concrete assistance and due to their social status, they are not in a position to attain better standard of living and improve their lot economically. With a view to paving the way for economic development of and provision of self employment to the Safai Karamcharis, it is proposed to provide them industrial units with necessary infrastructure so as to enable them to secure a decent livelihood. For achieving this objective it is proposed to establish a Corporation which shall fully cater to the needs of Safai Karamcharis.

Hence this Bill.

New Delhi; March 29, 1995. MANGAL RAM PREMI.

#### FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Central Government shall establish a Corporation to be known as Safai Karamcharis Small Scale Industries Development Corporation with its headquarter, at New Delhi and a complex in each district of the country. Clause 5 provides for appointment of a Chief Comptroller to head the Corporation. Clause 6 provides for appointment of necessary officers and employees for the Corporation. Clause 9 provides for the establishment of industrial units with necessary infrastructure in each complex. Clause 10 provides that an amount not exceeding rupees fifty thousand shall be given to each allottee of an industrial unit as grant by the Central Government. Clause 11 provides that the Central Government and its agencies shall make available rew-materials to allottees of industrial units at concessional rates and purchase manufactured goods from them at competitive prices.

The Bill, therefore, if enacted will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of rupees two hundred crore is likely to be incurred from the Consolidated Fund of India

A non-recurring expenditure of about rupees twenty crore is also likely to be involved.

# MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 14 of the Bill empowers the Central Government to frame rules for carrying out the purposes of the Bill. Since the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

### BILL No. 28 OF 1895

A Bill to amend the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Scheduled Castes and the Scheduled Tribes (Prevention of Aurocites) Amendment Act, 1995.

Insertion of new section 9A,

2. After section 9 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the following section shall be inserted, namely:—

33 of 1989.

Entertainment of complaints of atrocities etc.

"9A. Notwithstanding anything contained in any other law for the time being in force or in this Act, no complaint of any offence of any atrocity or violation of any other provision referred to in this Chapter shall be entertained unless it is made in writing to the police officer, not below the rank of Deputy Superintendent of Police, and such police officer is satisfied that prima facie a case is made out.".

### FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for the incentives to the Government employees for shifting to cycling for coming to and going back from their workplace by the appropriate Government. The Bill, therefore, if enacted and brought into operation will involve expenditure from the Consolidated Fund of India. It can not be precisely estimated at this juncture. However, it is estimated that a sum of rupees five hundred crore may involve per annum as recurring expenditure.

A sum of rupees three hundred crore may also involve as non-recurring expenditure.

### MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 10 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. The rules will relate to matters of details only.

The delegation of legislative power is of normal character.

V. S. RAMA DEVI, Secretary-General.

Published by the Secretary-General, Rajya Sabha under rule 68 of the Rules of Procedure and Conduct of Business in the Rajya Sabha.